

WRIGHT, FINLAY & ZAK, LLP

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REGISTRATION SYSTEMS, INC.

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON (TACOMA)**

JAMES A. BIGELOW

Plaintiff,

vs.

NORTHWEST TRUSTEE SERVICES, INC.;
GREEN TREE SERVICING, LLC;
MORTGAGE ELECTRONIC
REGISTRATION SYSTEMS, INC.; and
DOE DEFENDANTS 1-20

Defendants.

Case No.: 3:14-cv-05798 BHS

**JOINT CONFERENCE AND
SCHEDULING REPORT OF
DEFENDANTS NORTHWEST TRUSTEE
SERVICES, INC., GREEN TREE
SERVICING LLC AND MORTGAGE
ELECTRONIC REGISTRATION
SYSTEMS, INC.**

Pursuant to the Court's Order dated October 7, 2014, the parties submit the following

Joint Status Report and Discovery Plan:

1. A statement of the nature and complexity of the case.

Plaintiff alleges that defendant/s violated the Fair Debt Collection Practices Act (FDCPA) 15 U.S.C. § 1692 *et seq*, Washington State Deed of Trust Act (WDTA) RCW § 61.24 *et seq*, Washington Consumer Protection Act (WCPA) RCW § 19.86 *et seq*, in the course of collecting an alleged debt; Defendants Northwest Trustee Services, Inc., Green Tree

CORPORATE DISCLOSURE STATEMENT

WFZ File No. 282-2014009

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1 Servicing LLC and Mortgage Electronics Registration Systems, Inc. (hereinafter
2 “Defendants” collectively) deny these allegations. It is not anticipated that this case will be
3 unusually complex.

4 **2. A proposed deadline for the joining of additional parties.**

5 Unresolved, pending the Court’s decision on MERS’ Motion for Judgment on the
6 Pleadings.

7
8 **3. Magistrate Judge.**

9 No.

10 **4. Discovery Plan.**

11 **(A) Initial Disclosures.**

12 The parties will exchange initial disclosures by January 28, 2015.

13 **(B) Subjects, Timing, and Potential Phasing of Discovery.**

14 Plaintiff plans to conduct initial discovery regarding the process for collection of
15 debts, verification, processing and accountability of documents, foreclosure process.

16 The parties anticipate conducting discovery in phases. The parties propose three (3)
17 months to complete discovery.

18
19 **(C) Electronically Stored Information.**

20 The parties have discussed and agreed upon the preservation and production of
21 relevant discoverable information. The parties do not anticipate any other discovery of
22 electronically stored information, but reserve the right to revisit this issue as discovery
23 progresses. Electronic documents shall be produced in PDF format where available.

24
25 ///

1 **(D) Privilege Issues.**

2 The parties have not reached any agreements regarding the assertion of claims of
3 privilege or protection of trial preparation material after production. The parties will
4 inform the Court if any such agreement is made. All named defendants expressly retain
5 their right to assert claims of privilege or protection of documents.

6 **(E) Proposed Limitations on Discovery.**

7 **(1) Amendment of Pleadings:**

8 The parties propose that any amendment to the pleadings will be set forth before
9 the Court by motion.

10 **(F) The Need for Any Discovery Related Orders.**

11 None at this time.

12 **5. Local Civil Rule 26(f)(1).**

13 **(A) Prompt Case Resolution.**

14 The parties will discuss settlement in good faith and will inform the Court if any
15 settlement is reached.

16 **(B) Alternative Dispute Resolution.**

17 The parties have not reached a consensus with respect to ADR, but will inform
18 the Court if there is an intent to enter into ADR negotiations.

19 **(C) Related Cases.**

20 None, however Green Tree Servicing LLC filed a Counter-Claim and Third
21 Party Complaint for judicial foreclosure on or about January 8, 2015 as Docket Item
22 No. 26.

(D) Discovery Management.

At this time, the parties do not expect significant or protracted discovery. The parties agree to cooperate in a manner that minimizes expenses while preserving each side's ability to make their claims and defenses.

(E) Anticipated Discovery Sought.

The parties anticipate doing written discovery and depositions.

(F) Phasing Motions.

None at this time.

(G) Preservation of Discoverable Information.

The parties have discussed preservation policies and do not anticipate any issues.

(H) Privilege Issues.

The parties do not anticipate any issues; however all named defendants retain and preserve all rights to assert claims of privilege or protection of documents.

6. The date by which discovery can be completed.

The parties propose April 15, 2015; if the parties need additional time they will attempt to meet and confer by e-mail regarding any requests for an extension of time.

7. Whether the case should be bifurcated by trying the liability issues before the damages issues, or bifurcated in any other way.

At this time, the parties do not believe that the case should be bifurcated.

8. Whether the pretrial statements and pretrial order should be dispensed with in whole or in part for the sake of economy.

No.

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9. Whether the parties intend to utilize the Individualized Trial Program.

No.

10. Any other suggestions for shortening or simplifying the case.

None at this time.

11. The date the case will be ready for trial. The Court expects that most civil cases will be ready for trial within a year after filing the Joint Status Report and Discovery Plan.

The parties have not reached an agreement on a date at this stage of litigation.

12. Whether the trial will be jury or non-jury.

Plaintiff demands a jury.

13. The number of trial days required.

Defendants estimate two to three days; one to two days for trial and one day for jury selection.

14. The names, addresses, and telephone numbers of all trial counsel.

For Mr. Bigelow:
James A. Bigelow
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Yelm WA 98597
360-790-2568

For Green Tree Servicing, LLC and Mortgage Electronic Registration Systems, Inc.:
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1 **15. The dates on which the trial counsel may have complications to be considered in**
2 **setting a trial date.**

3 None at this time.

4 **16. Service.**

5 GTS, MERS, and NWTs have been served.

6 **17. Whether any party wishes a scheduling conference before the Court enters a**
7 **scheduling order in the case.**

8 No.

9 **18. Corporate Disclosure Statements.**

10 Corporate disclosure statements have been filed by Defendants.

11 DATED: February 4, 2015.

12 **JAMES A. BIGELOW**

13 By Plaintiff does not agree to this joint report
14 James A. Bigelow
15 Plaintiff Pro Se

16 **WRIGHT, FINLAY, & ZAK, LLP**

17 By /s/ Renee M. Parker
18 Renee M. Parker, WSBA No. 36995
19 rmparker@wrightlegal.net
20 Attorney for Defendants Green Tree Servicing, LLC and Mortgage Electronic
21 Registration Systems, Inc.

22 **RCO LEGAL, P.S.**

23 By /s/ Joseph H. Marshall
24 Joseph H. Marshall, WSBA No. 29671
25 Attorney for Defendant Northwest Trustee Services, Inc.

26
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DECLARATION OF SERVICE

The undersigned declares as follows:

On February 4, 2015, I served the foregoing document: **JOINT CONFERENCE AND SCHEDULING REPORT OF DEFENDANTS NORTHWEST TRUSTEE SERVICES, INC., GREEN TREE SERVICING LLC AND MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC.** on interested parties in this action by placing a true copy thereof enclosed in a sealed envelope via postage prepaid, regular first class mail and/or electronic service as follows:

SERVICE VIA U.S. MAIL:

None

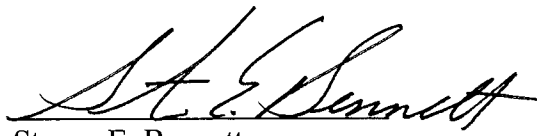
ELECTRONIC SERVICE VIA CM/ECF:

James A Bigelow
sistermoonproductions@gmail.com
PLAINTIFF PRO SE

Joseph H Marshall
jomarshall@rcolegal.com, kstephan@rcolegal.com
ATTORNEYS FOR NORTHWEST TRUSTEE SERVICES, INC.

I declare under penalty of perjury under the laws of the State of Washington and the United States of America that the foregoing is true and correct.

DATED this 4th day of February, 2015


Steven E. Bennett

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